

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

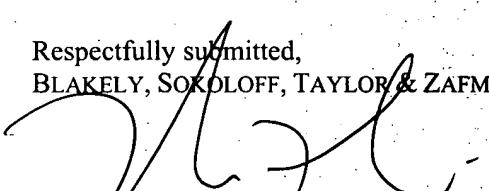
With the exception of claim 162, all of the claims presented herein have been rejected under 35 USC 102(e) as being anticipated by Takacs, WO 01/077793. Claim 162 was rejected under 35 USC 103 as being obvious in view of Takacs when considered in combination with "features well known in the art". Hence, all of the present rejections rely on Takacs being considered as prior art to the present claims under 35 USC 102(e).

Accompanying this amendment is a declaration by the inventor, James Duncan Work, establishing a date of invention in this country of the subject matter recited in the present claims prior to the effective date of the Takacs reference. In particular, the inventor has established in his accompanying declaration that (1) the invention recited in the present claims was conceived prior to the effective date of the Takacs reference (e.g., as evidenced by the "Functional Specification" attached as Exhibit A to the declaration); (2) thereafter, the invention recited in the present claims was actually reduced to practice in this country prior to the effective date of the Takacs reference; and (3) following such actual reduction to practice the provisional application from which the present application claims priority and which likewise supports the subject matter of the present claims was diligently prepared and filed. Hence, the Takacs reference can no longer be deemed prior art to the present claims and, so, the present rejections are moot.

For at least the foregoing reasons the present rejections should be removed. If there are any additional fees associated with this communication, please charge Deposit Account No. 02-2666.

Respectfully submitted,
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